

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

In re: Tagnetics, Inc.

\*  
\* Case No. 19-30822  
\*  
\* Judge Humphrey  
Chapter 7

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**TAGNETICS' MOTION TO STAY THIS COURT'S OCTOBER 25, 2019 ORDER [Dkt. No. 119] AND FOR APPROVAL OF A SUPERSEDEAS BOND**

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Alleged Debtor Tagnetics, Inc. ("Tagnetics"), by and through its undersigned counsel and pursuant to Rule 8007 of the Federal Rules of Bankruptcy Procedure, moves this Court for an order staying its *Order Granting in Part Tagnetics' Motion to Enforce Settlement Agreement and Ordering Other Matters* [Dkt. No. 119] (the "Order") and approving a supersedeas bond. In support of this Motion, Tagnetics states as follows:

1. On October 25, 2019, this Court issued its *Order Granting in Part Tagnetics' Motion to Enforce Settlement Agreement and Ordering Other Matters* [Dkt. No. 119].

2. According to the terms of the Order, Tagnetics is required, among other things, to make the initial payment under the settlement agreement the Court found the parties entered into within three (3) business days of the Court's Order.

3. Contemporaneous with the filing of this Motion, Tagnetics has filed (or will file) a Notice of Appeal.

4. Tagnetics respectfully requests that this Court stay its October 25, 2019 Order with respect to the payment schedule set forth therein, pending the outcome of Tagnetics' appeal.

5. Tagnetics also respectfully requests that this Court approve a supersedeas bond in the amount of \$180,000, which is the total value of the first two payments required pursuant to the

Court's Order. Tagnetics understands and acknowledges that additional payments are required pursuant to the Court's Order, but it is reasonable to expect that the appeal will be completed by the time the third payment(s) become due under the Order<sup>1</sup> and, therefore, they should not and do not need to be included in the amount of the supersedeas bond.

6. Rule 8007(a) of the Federal Rules of Bankruptcy provides that a party must first move in the Bankruptcy Court to seek "a stay of a judgment, order, or decree of the bankruptcy court pending appeal" and to seek "the approval of a supersedeas bond." Bankr. Rule 8007(a)(1). Rule 8007(a) further states that the motion to stay "may be made either before or after the notice of appeal is filed."

7. In accordance with Rule 8007(a) of the Federal Rules of Bankruptcy, Tagnetics respectfully requests that this Court stay its October 25, 2019 Order (Dkt. No. 119] and, as security for the stay, approve a supersedeas bond in the amount of \$180,000.

Respectfully submitted,

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*/s/ Robert R. Kracht*  
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<sup>1</sup> The third payment(s) is/are due within 18 months of the entry of the Order.

**CERTIFICATE OF SERVICE**

I hereby certify that on October 30, 2019, a copy of the foregoing *Motion to Stay This Court's October 25, 2019 Order [Dkt. No. 119] and for Approval of a Supersedeas Bond* was served (i) **electronically** on the date of filing through the Court's ECF System on all ECF participants registered in this case at the email address registered with the court and (ii) electronically by email on counsel for Tagnetics, Inc., Stephen B. Stern, Esq. ([Stern@kaganstern.com](mailto:Stern@kaganstern.com)) and (iii) by **email and ordinary U.S. Mail** on October 30, 2019 addressed to:

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/s/ Robert R. Kracht

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